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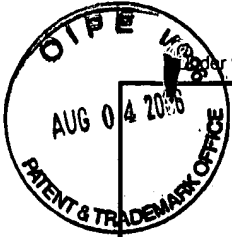
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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/825,858

Filing Date

April 16, 2004

First Named Inventor

ANDERSEN, RAYMOND

Group Art Unit

1616

Examiner Name

Not yet assigned

Attorney Docket Number

SMAR-036

ENCLOSURES (check all that apply)

☐

Fee Transmittal Form

☒

Credit Card Payment Form

(PTO-2038)

☐

Amendment / Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Documents

☐

Response to Missing Parts/
Incomplete Application

☐

Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Assignment Papers
(for an Application)

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation
Change of Correspondence
Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s)

☐

After Allowance Communication
to Group

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

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Other Enclosure(s) (please
identify below):

Petition Under 37 CFR §1.48(a) (2 pgs.)

Statement from Lu Yang (1 pg.)

Executed Declaration (4 pgs.)

Written Consent from Assignee (1 pg.)

Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent
(Reg. No.)

CAROL L. FRANCIS, 36,513
BOZICEVIC, FIELD & FRANCIS, LLP

Signature

Date

August 4, 2006

EXPRESS MAIL LABEL NO. EV 686 490 129 US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EXPRESS MAIL NO. EV 686 490 129 US

PETITION UNDER 37 C.F.R. §1.48(a) Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/825,858
	Confirmation No.	8204
	Attorney Docket No.	SMAR-036
	Filing Date	April 16, 2004
	First Named Inventor	ANDERSEN, RAYMOND
	Examiner	Not yet assigned
	Group Art	1616
	Title	SHIP 1 MODULATORS

Sir:

Please correct the inventorship for the above-captioned application to add LU YANG as an inventor. The corrected inventorship should indicate the following persons are joint inventors:

RAYMOND ANDERSEN,
DAVID E. WILLIAMS,
ALICE MUI,
CHRISTOPHER ONG,
GERALD KRYSTAL and
LU YANG

Enclosed with this Petition are:

- (1) A statement from each person being added as an inventor (i.e., Lu Yang) that the error in inventorship occurred without deceptive intention on his or her part;
- (2) An oath or declaration by the actual inventors;
- (3) The processing fee set forth in § 1.17(i); and
- (4) The written consent of the assignee.

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If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided. The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number SMAR-036.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: _____

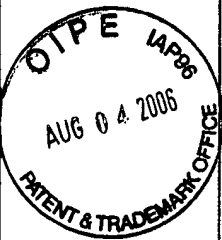
Aug 4, 2006

By: _____

Carol L. Francis
Carol L. Francis
Registration No. 36,513

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

F:\DOCUMENTS\SMAR (Sma)\036\petition under 1.48(a) to add inventor.doc



**STATEMENT BY LU YANG
PURSUANT TO 37 C.F.R. § 1.48(a)**

Application Number	10/825,858
Confirmation No.	8204
Attorney Docket No.	SMAR-036
Filing Date	April 16, 2004
First Named Inventor	ANDERSEN, RAYMOND
Examiner	Not yet assigned
Group Art	1616
Title	SHIP 1 MODULATORS

Sir:

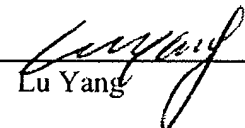
I, Lu Yang, state as follows:

The inventorship error in the above-captioned application that resulted in my omission as an inventor, and for which correction is requested in the accompanying petition under 37 C.F.R. § 1.48 (a) occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title XVIII of the United States Code, and thus such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Respectfully submitted,

Date: July 3rd. 2006

By: 
Lu Yang